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*Attorney for Federal Defendants*

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

\_\_\_\_\_  
SIERRA SNOWMOBILE  
FOUNDATION, a nonprofit corporation;  
JEFF WITTMAN; MARY KRUPKA;  
JOHN WATTS; BLUERIBBON  
COALITION, INC., a nonprofit  
corporation; AMERICAN COUNCIL OF  
SNOWMOBILE ASSOCIATION INC., a  
nonprofit corporation,

Plaintiffs,

v.

UNITED STATES FOREST SERVICE,  
Pacific Southwest Region; JASON  
KUIKEN, in his capacity as Forest  
Supervisor for the Stanislaus National

CASE NO. 2:21-cv-1913-JAM-DB

**FEDERAL DEFENDANTS' RESPONSE TO  
MOTION TO INTERVENE BY  
WILDEARTH GUARDIANS AND  
CALIFORNIA WILDERNESS COLAITION  
[ECF NO. 16]**

Forest; UNITED STATES )  
 DEPARTMENT OF AGRICULTURE, )  
 United States Forest Service, )  
 Federal Defendants. )

On January 21, 2022, WildEarth Guardians and California Wilderness Coalition moved to intervene in this matter as defendants and cross-claimants under Rules 24(a) and 24(b) of the Federal Rules of Civil Procedure (Motion). ECF No. 16. Having reviewed the Motion and Memorandum in Support, ECF No. 16-2, Federal Defendants take no position as to whether intervention is warranted under either Rule 24(a) or 24(b). If, however, the Court allows WildEarth Guardians and California Wilderness Coalition to intervene as defendants and assert cross-claims, the parties have all conferred and agree that the most efficient way to proceed in this matter would be to waive Federal Defendants' requirement to answer the cross-claims and proceed to cross-motions for summary judgment as contemplated by the Court's January 25, 2022, order, ECF No. 27, but modified as follows:

- Plaintiffs' motion for summary judgment shall be filed on or before May 24, 2022, limited to 35 pages;
- Intervenors' consolidated cross-motion for summary judgment and response to Plaintiffs' motion for summary judgment, and motion for summary judgment on their cross-claims shall be filed on or before June 30, 2022, limited to 35 pages;
- Federal Defendants' consolidated cross-motion for summary judgment and response to Plaintiffs' motion, and cross-motion for summary judgment and response to Intervenors' motion shall be filed on or before August 4, 2022, limited to 50 pages;
- Plaintiffs' consolidated reply in support of their motion for summary judgment and response to Federal Defendants' and Intervenors' cross-motions shall be filed on or before October 12, 2022, limited to 25 pages;

- Intervenor's consolidated replies in support of their cross-motions for summary judgment shall be filed on or before October 12, 2022, limited to 25 pages; and
- Federal Defendants' consolidated replies in support of their cross-motions for summary judgment shall be filed on or before November 9, 2022, limited to 20 pages.

Due to claims being asserted by both Plaintiffs and Intervenor's and the length of the initial briefs, the parties intend to meet and confer again following the filing of the parties' initial summary judgment cross motion briefing to discuss whether an expansion of page limits for the remaining briefs may be appropriate, and will at that time propose to the Court any further revisions to those page limits resulting from the parties' discussions. Accordingly, if WildEarth Guardians and California Wilderness Coalition are allowed to intervene, Federal Defendants respectfully request that the order on intervention indicate that Federal Defendants need not answer the cross-claims and set forth the above proposed schedule for cross-motions for summary judgment.

Respectfully submitted on this 1st day of March, 2022.

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 1, 2022, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send a notification of this filing to the attorneys of record.

/s/Shawn M. Pettigrew  
SHAUN M. PETTIGREW